



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

---

*271 Cadman Plaza East  
Brooklyn, New York 11201*

November 20, 2020

By ECF

Honorable Brian M. Cogan  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Anthony Belmosa v. United States of America,*  
Civ. No. 19-CV-6788 (BMC) (E.D.N.Y.)

Dear Judge Cogan:

This Office represents Defendant United States of America in this Federal Tort Claims Act case. As discussed at the November 19, 2020 pre-trial conference, Defendant respectfully informs that Court that it will forgo summary judgment motion practice and proceed with a liability bench trial on January 11, 2021. As Your Honor may recall, the joint pre-trial order filed on November 16, 2020 (*see* Dkt. Entry No. 18) was prepared, as well as discovery to date has been conducted, in contemplation of a trial on liability with a damages trial to follow additional discovery, if necessary.

We thank the Court for its consideration of this matter.

Respectfully submitted,

SETH D. DUCHARME  
Acting United States Attorney

By:                     /s/                      
Matthew J. Modafferi  
Assistant U.S. Attorney  
718-254-6229  
[Matthew.modafferi@usdoj.gov](mailto:Matthew.modafferi@usdoj.gov)

cc: Matthew T. Gammons, Esq. (By ECF)  
*Attorney for Plaintiff*